

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/617,822
Attorney Docket No.: Q71182

REMARKS

The Office Action of September 27, 2005 has been received and its contents carefully considered.

Claims 1, 3, 5, 7, 9, 13, 15, 17, and 19 are all the claims pending in the application, prior to the present amendment.

The Examiner has withdrawn the previous indication of allowability of claims 5 and 7 in view of newly discovered prior art. The Examiner continues to indicate that claims 3 and 9 are allowable.

Claims 1, 5, 7, 13, 15, 17 and 19 have been rejected under 35 U.S.C. §103(a) as obvious over the newly cited JP 2000-339659 in view of the previously cited WO 02/39433 to Inaba et al.

In response, applicants have amended claim 1 to delete the recitations of GeW, GeMo, SiMo, SiW and SiRe that appeared in claims 1, 5 and 7, leaving only the alloys that have been separately allowed in claims 3 and 9. Applicants have canceled claims 5 and 7.

In view of the above, applicants submit that the claims that remain in the application contain subject matter that the Examiner has indicated to be allowable. Accordingly, applicants request withdrawal of this rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/617,822
Attorney Docket No.: Q71182

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Sheldon I. Landsman
Sheldon I. Landsman
Registration No. 25,430

Date: December 20, 2005